

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,
Plaintiff,
v.
NELSON CARTAGENA
Defendant.

CRIMINAL NO. 97-110 (CCC)

GOVERNMENT'S RESPONSE TO DEFENDANT'S REQUEST FOR NEW COUNSEL

TO THE HONORABLE COURT:

COMES NOW the United States of America, through its undersigned attorneys, and very respectfully states, alleges, and prays as follows:

On January 10, 2005, the captioned defendant filed a *pro se* handwritten motion, requesting appointment of counsel so that: (1) defendant reach an agreement with the Court and the Government; (2) defendant be forgiven for obstructing justice; and (3) defendant have an opportunity to appear before the Court and be tried after explaining everything about his case.

The Government responds as follows: (1) the United States declines defendant's invitation to reach an agreement with him at this time; (2) the Government has no objection that defendant apologize to the Court for his obstruction of justice and (3) the Government objects the appointment of new counsel and the request for new trial since the defendant has already been tried been represented by counsel, tried by jury, found guilty, sentenced to a term of imprisonment of 308 months and unsuccessfully appealed his case.

WHEREFORE, the United States respectfully requests that this Honorable Court take notice of the abovementioned response.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 2nd day of February, 2004.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I have mailed a true and exact copy of this motion to *pro se* defendant's address of record.

H.S. GARCIA
United States Attorney

s/José Ruiz-Santiago
José Ruiz-Santiago
Assistant U.S. Attorney